

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of Michael Wayne Brown, et al. Serial No.: 09/895,932 Filed: 6/29/2001 Title: COORDINATING MANUFACTURING BY LOCAL AND REMOTE MANUFACTURERS FOR A PERSONALIZED DESIGN IN AN ELECTRONIC COMMERCE SYSTEM Atty Docket Number: AUS920010354US1	: Before the Examiner: LIVERSEdge, JENNIFER : Group Art Unit: 3628 : Amy J. Pattillo : P.O. Box 161327 : Austin, Tx 78716 : 512-402-9820
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**SUPPLEMENTAL RESPONSE TO NOTIFICATION OF NON-COMPLIANT
APPEAL BRIEF AND COMPLIANT APPEAL BRIEF UNDER 37 CFR §41.37**

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Applicants filed an Appeal Brief in support of the above-referenced application on September 17, 2007. Applicants filed the Appeal Brief from a final rejection dated May 2, 2007 of Claims 1, 2, 4-6, 8-10, 12-14, 16-18, 20-22, 24, and 25 of application serial number 10/09/895,932, filed on June 29, 2001.

Response to Notification of Non-Compliant Appeal Brief

Applicants received a Notification of Non-Compliant Appeal Brief in the above-referenced application on October 9, 2007 with a shortened period for reply of one month or thirty days from the mailing date of the Notification, whichever is longer. The Notification states that the Appeal Brief is Non-Compliant because the brief does not contain a concise statement of each ground of rejection for review as required under 37 CFR 41.37(c)(1)(vi) and explains that a concise statement is not provided because "canceled claims should not be mentioned in this section." The Notification further states that the entire brief is not required, but only the section that was found defective.

Applicants submitted section VI "Grounds of Rejection to be Reviewed on Appeal" of the Appeal Brief, corrected to recite a concise statement of each ground of rejection without any reference to the canceled claims. Applicants respectfully request entry of the corrected "Grounds of Rejection to be Reviewed on Appeal" and docketing of the Appeal Brief.

Examiner Liversedge contacted Applicants' representative on November 26, 2007 and indicated that Applicants' previous submission of the grounds of rejection to be reviewed on appeal does not include all the claims being reviewed on appeal. Applicants' representative noted that in correcting the defective section, Applicants' representative removed the cancelled claims, because the Notice of Non-Compliant Appeal Brief pointed to this defect, but Applicants inadvertently did not notice that not all the appealed claims were included in the grounds. Applicants file this supplemental response with a complete listing of the claims on appeal under the grounds of rejection of the claims.

Applicants' Submission of Compliant Section which was Previously Found Defective

VI. Grounds of Rejection to be Reviewed on Appeal

1. Claims 1-2, 4-6, 8-10, 12-14, 16-18, 20-22, and 24-25 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Crookshanks (US Patent 7,089,203) in view of Robert Franks article "Asian Jewelers Carry on Tradition in Little Saigon, Clients prefer to design rings, merchants say" (herein referred to as Frank).

Respectfully submitted,

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